

# **Appendix Exhibit 93**

1 IN THE UNITED STATES BANKRUPTCY COURT  
2 FOR THE NORTHERN DISTRICT OF TEXAS  
3 DALLAS DIVISION

4 In Re: ) **Case No. 19-34054-sgj-11**  
5 HIGHLAND CAPITAL ) Chapter 11  
6 MANAGEMENT, L.P., )  
7 Debtor. ) Dallas, Texas  
8 ) Tuesday, January 26, 2021  
9 ) 9:30 a.m. Docket  
10 )  
11 ) MOTION FOR ENTRY OF ORDER  
12 ) AUTHORIZING DEBTOR TO  
13 ) IMPLEMENT KEY EMPLOYEE  
14 ) PLAN [1777]  
15 )  
16 )  
17 HIGHLAND CAPITAL ) **Adversary Proceeding 21-3000-sgj**  
18 MANAGEMENT, L.P., )  
19 Plaintiff, )  
20 )  
21 v. ) PLAINTIFF'S MOTION FOR A  
22 HIGHLAND CAPITAL ) PRELIMINARY INJUNCTION AGAINST  
23 MANAGEMENT FUND ADVISORS, ) CERTAIN ENTITIES OWNED AND/OR  
24 L.P., et al. ) CONTROLLED BY MR. JAMES  
25 Defendants. ) DONDERO [5]  
16 )  
17 )  
18 )  
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23 )  
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25 )

TRANSCRIPT OF PROCEEDINGS  
BEFORE THE HONORABLE STACEY G.C. JERNIGAN,  
UNITED STATES BANKRUPTCY JUDGE.

WEBEX APPEARANCES:

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1 should issue a preliminary injunction, and the December  
2 letters, the emails, the communications, they lead me to  
3 believe that this preliminary injunction is needed because  
4 someone doesn't understand that Mr. Seery is in charge and the  
5 preferred shareholders, the Funds, the Advisors, they don't  
6 have the ability to interfere with what he's doing in running  
7 the company.

8 And the threats of we're going to, you know, direct -- we  
9 may direct the CLO Issuer to terminate the Debtor: I mean,  
10 it's just -- there's no sound business justification for that.  
11 Okay? I don't know what we're doing, where we're going.

12 Mr. Dondero, I said to you in December, you know, I really  
13 wanted to encourage good-faith negotiations on your possible  
14 pot plan because I thought you wanted to save your baby. But  
15 the more I hear, the more I feel you're just trying to burn  
16 the house down. Okay? Maybe it's an either/or proposition  
17 with you: I'll either get my company back or I'll burn the  
18 house down. That's what it feels like. And I have no choice  
19 but to enter preliminary injunctions with this kind of  
20 behavior.

21 So, I'm very frustrated. I'm very frustrated. I don't  
22 know if anyone wants to say anything or we just end it on this  
23 frustrating note.

24 Mr. Rukavina, did you want to let your client speak, or  
25 no?

1 | camper.

2 But upload your order on the motion to seal the plan.  
3 And, again, it's not going to be unsealed absent a further  
4 order of the Court. And if you all come to me next week and  
5 say, hey, we've got something in the works here, okay, I'll  
6 consider unsealing it and letting you go down a different  
7 path. But I'm not naïve. I feel like this is just more  
8 burning the house down, maybe. I don't know. I hope I'm  
9 wrong. I hope I'm wrong. But all right. So I guess we'll  
10 see you next week.

11 || MR. POMERANTZ: Thank you, Your Honor.

12 MR. MORRIS: Thank you, Your Honor.

13 THE COURT: All right. We're adjourned.

14 MR. RUKAVINA: Thank you, Your Honor.

15 THE CLERK: All rise.

16 | (Proceedings concluded at

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20 || CERTIFICATE

21 I certify that the foregoing is a correct transcript from  
22 the electronic sound recording of the proceedings in the  
above-entitled matter.

23 /s/ Kathy Rehling

01/28/2021

Kathy Rehling, CETD-444  
Certified Electronic Court Transcriber

Date